THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 15, 2010 AT 3:00 P.M.

The Meeting was called to order at 3:00 p.m. Present: Council Chair Spatz; Council Members: Camp, Carroll, Emery, Hornung, Snyder; City Clerk, Joan E. Ross.

Council Chair Spatz announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of November 1 reported having done so, found same correct.

Seconded by Carroll and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MAYOR’S AWARD OF EXCELLENCE

Mayor Beutler presented the Mayor’s Award of Excellence for the month of October to Gene Hanlon, Recycling Coordinator for the Wastewater Division of Public Works & Utilities Department in the category of Customer Relations and Productivity recognizing his recycling program during the Special Olympics. Superintendent of Solid Waste Operations, Karla Welding, and Utilities Laboratory Supervisor, Jorge Samayoa, nominated Gene for this award due to the complexity of the event, the variety of events, venues, the number of collaborating organizations, the need for long term planning and the vision and organizational skills necessary to be successful. He worked with Keep Lincoln and Lancaster County Beautiful, Lincoln Public Schools, UNL Landscape Services and the Mayor’s Office to develop a solid waste management program for the entire week long event. They worked to make the opening and closing ceremonies and the Olympic Village a zero waste event designating all locations as litter free. A Green Team of volunteers were formed to remove litter on a continuous basis. 650 recycling containers were used during the games and 315 portable containers were purchased with a $21,000 grant from the Department of Environmental Quality. They kept more than 15,000 pounds of bottles and cans, 24,000 pounds of cardboard and paper, and 9,000 pounds of combustible items out of the landfill.

Greg MacLean, Director of Public Works & Utilities, came forward to comment that Gene is one of those who always thinks outside of the box. Gene is a great example of our sustainable management practices we are trying to employ. He stated he was proud of the work he has done with recycling waste.

Gene Hanlon came forward to express his appreciation for the award and to mention it was interesting he was receiving this award today as November 15th is America's Recycling Day which means a lot. He stated there were many people who made the recycling efforts at the Special Olympics a success. He mentioned one program this event benefitted from was the Americorp Go Green Nebraska which is part of the Parks and Recreation Department that helped coordinate the Green Team activities at the sports venues.

PUBLIC HEARING

RESOLUTION ASSESSING SPECIAL TAXES FOR THE COSTS OF THE IMPROVEMENTS IN THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, THE DOWNTOWN MAINTENANCE DISTRICT AND THE CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY, AS APPROVED BY THE BOARD OF EQUALIZATION ON MONDAY, NOVEMBER 15, 2010;

SETTING THE PUBLIC HEARING DATE OF MONDAY, DECEMBER 13, 2010, AT 3:00 P.M. FOR THE ASSESSMENT OF THE COST OF WEED REMOVAL INCURRED FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010;

CLERK’S LETTER AND MAYOR’S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON NOVEMBER 1, 2010;

APPLICATION OF TRES JALISQUILLOS, INC. DBA LA FIESTA SPORT BAR (FORMERLY FANDANGO NIGHT CLUB) TO MOVE THEIR PRESENTLY LICENSED CLASS C LIQUOR PREMISES FROM 221 S. 9TH STREET TO 1037 L STREET - Allen Eurek, took oath and came forward representing Tres Jalisquillos, Inc., who lost their lease at 221 S. 9th Street and are moving to 1037 L Street pending completion of the renovation. This matter was taken under advisement.

APPLICATION OF TREES JALISQUILLOS, INC. DBA LA FIESTA SPORT BAR (FORMERLY FANDANGO NIGHT CLUB) TO MOVE THEIR PRESENTLY LICENSED CLASS C LIQUOR PREMISES FROM 221 S. 9TH STREET TO 1037 L STREET - Allen Burek, took oath and came forward representing Tree Jalisquillos, Inc., who lost their lease at 221 S. 9th Street and are moving to 1037 L Street pending completion of the renovation. This matter was taken under advisement.

APPLICATION OF TREES JALISQUILLOS, INC. DBA LA FIESTA SPORT BAR (FORMERLY FANDANGO NIGHT CLUB) TO MOVE THEIR PRESENTLY LICENSED CLASS C LIQUOR PREMISES FROM 221 S. 9TH STREET TO 1037 L STREET - Allen Burek, took oath and came forward representing Tree Jalisquillos, Inc., who lost their lease at 221 S. 9th Street and are moving to 1037 L Street pending completion of the renovation. This matter was taken under advisement.

CHANGE OF ZONE 10019 - APPLICATION OF ASSURITY LIFE INSURANCE CO. FOR A CHANGE OF ZONE FROM C-3 OFFICE PARK DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT, ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 27TH STREET AND OLD CHENEY ROAD;
criminal activity in the early hours of the day in that area. It will endanger those students that much more. She expressed a concern with respect to Scott and Irving Middle Schools as well as Hill Elementary and is concerned this traffic causing it to become dangerous to children playing in their front yards because of the anticipation of causing Canterbury Lane to become congested with traffic. She feels the current Assurity building is a great example of architecture and would like it to be preserved.

Gary Rumbaugh, 4921 Canterbury Lane, board member of the Southwood Neighborhood Association, came forward in opposition to the zoning change and any retail business in this area. They would like to see it stay commercial and use commercial area to be developed as a high quality corporately owned neighborhood center anchored by CVS Pharmacy to be a long-term investment for Assurity Life Insurance.

Bill Schmeeckle, Chief Investment Officer of Assurity Life Insurance, presented information that they felt it would be too costly to renovate and remove the asbestos from the present building. They would like the zoning to go back to its original intended use as neighborhood retail. This would result in a mixed use commercial area to be developed as a high quality corporately owned neighborhood center anchored by CVS Pharmacy to be a long-term investment for Assurity Life Insurance. Improvements were added at the request of the neighbors and the Planning Department.

Jessica Fricke, 2411 S. Canterbury Lane, came forward in opposition to the rezoning of this office district. It was suggested that this site be zoned for an office park due to the increased traffic, lighting and unsafe conditions on Canterbury Lane that the board is afraid will transpire. She commented that this will violate the Council’s original intended use as neighborhood retail. This would result in a mixed use commercial area to be developed as a high quality corporately owned neighborhood center anchored by CVS Pharmacy to be a long-term investment for Assurity Life Insurance. Improvements were added at the request of the neighbors and the Planning Department.

Mark Hunzeker, 600 Wells Fargo Center, 1248 O Street, came forward representing Assurity Life Insurance. It was stated the neighborhood association made 16 requests to the project of which 10 were implemented and the Planning Department made 15 suggestions of which 11 were implemented. He presented a drawing showing the revisions to the site plan including a 20’ setback on both 27th Street and Old Cheney Road in addition to the 10’ of right-of-way being dedicated on both streets. In addition to the 9’ setback from the curb to the proposed bike path on both streets and street trees along Old Cheney Road and Canterbury Avenue will provide 60% screening to a height of 10’. There will be street trees and along 27th Street, Old Cheney and Canterbury. There will also be parking lot trees and the existing trees will be preserved. One of the proposed tenants, CVS, agreed to a brick facade on all sides. The building will be 80% brick, stone, or glass. He presented information on the entrances and exits during the construction all construction and service vehicles will use the 27th and Old Cheney access point. After construction is complete all service and delivery trucks over six tons will be required to do the same. The southern access point will be closed as requested by the neighbors. There will be speed bumps installed as well as small signs indicating no through traffic and no trucks on access road to the west. On sale liquor sales would be in restaurants only. Bike racks will be available in front of all new buildings. Free standing signs are being proposed to be one-third of what would ordinarily be allowed in a B-1 district. CVS will guarantee their lease for another type of business.

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Sheryl Tyrrell, 5424 Canterbury, came forward in opposition. She stated there were already two CVS Pharmacy’s within six minutes of where she lives and is concerned this will cause a CVS to close creating a vacant building.

Berwyn Jones, 6220 Andrew Ct., The Knolls, came forward in opposition stating she has lived in the Southwood neighborhood for 32 years. Hill Elementary is close by so students will be walking in this area causing a safety concern due to increased traffic. She has a son who was hit by a car at 27th and Tipperary after which the City put a traffic light up. The proposed roadway behind the development could cause increased traffic also because of those trying to avoid the stop lights.

Lisa Zager, 2510 Cheshire S., came forward in opposition asking the City Council to listen and give merit to the people who live in that neighborhood who oppose this traffic control issues through the residential neighborhood and safety concerns due to increased traffic. She feels public safety and aesthetics. She feels the current Assurity building is a great example of architecture and would like it to be preserved.

Gary Rumbaugh, 4921 Canterbury Lane, board member of the Southwood Neighborhood Association, came forward in opposition to the zoning change and any retail business in this area. They would like to see it stay commercial and use commercial area to be developed as a high quality corporately owned neighborhood center anchored by CVS Pharmacy to be a long-term investment for Assurity Life Insurance. Improvements were added at the request of the neighbors and the Planning Department.

Jessica Fricke, 2411 S. Canterbury Lane, came forward in opposition to the rezoning of this office district. It was suggested this be redeveloped as an office park bringing in 100’s of good paying office jobs. The neighbors offer to help Council to find a grant or stimulus money to build office jobs on that corner. Gary Rumbaugh, 4921 Canterbury Lane, board member of the Southwood Neighborhood Association, came forward in opposition to the zoning change and any retail business in this area. They would like to see it stay commercial and use commercial area to be developed as a high quality corporately owned neighborhood center anchored by CVS Pharmacy to be a long-term investment for Assurity Life Insurance. Improvements were added at the request of the neighbors and the Planning Department.
Don Nelson, 2430 S. Canterbury Lane, came forward to thank the Council for the delay which allowed some changes to be made important to them to the neighborhoods. He commented on their proposed changes wanting this project to look more like it is in Scottsdale, Arizona, Fort Collins, Colorado or Austin, Texas than it is in Lincoln, Nebraska. He stated anytime you use vegetation, space, and earth materials to build any sort of commercial, residential border development is going to be to the benefit of both commerce as well as the residents who live nearby. He requested Canterbury Lane be repaired and reminders of the speed limit in this area and other signage be added.

Stu Kerns, 5511 S. 27th Street, pastor of Zion Church, came forward in opposition to state he would like the CVS to be built somewhere else stating there are too many pharmacies in this area already. His wife had been hit by a car at 27th and Old Cheney so he is concerned this will magnify already existing danger.

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Tobin Wolfe, 3320 Jamestown Rd., came forward in opposition to state he would like the CVS to be built somewhere else stating there are too many pharmacies in this area already. His wife had been hit by a car at 27th and Old Cheney so he is concerned this will magnify already existing danger.

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bonds would be called for redemption the first week of January. Current interest rates were under 4.5% for this financing, but interest rates have been rising in the last week and a half as more supply comes to market and activity in the Treasury market is driving interest rates up.

Ken Wismar, 1248 O Street, Bond Counsel, presented the Council members with copies of a substitute ordinance. The reason for the substitute ordinance is it looked as if we’d be able to refund all of the outstanding bonds, 1999’s and 2001’s, but it doesn’t make economic sense to refund the 2001 bonds at this time so they will be left outstanding. Some of the amendments can be made at this time and some of the amendments will have to wait until the 2001 bonds are retired. The substitute ordinance mostly takes into account that the 2001 bonds are outstanding. The definition of maximum annual debt service to allow to take into account balloons that would be covered by an existing debt service reserve fund is in the ordinance. Section 7.13 requiring the new bonds mature within two years has been eliminated.

Mr. Keene added that the Series 1999 A bonds have a maturity that currently stands at 2014 with pretty significant principle and interest payments. The main reason for refunding the Series 1999 A bonds is to restructure them to extend the maturity cut to match the 20 year maturity that is being proposed for the new money portion of the financing. This dramatically improves the capacity of the parking enterprise system to fund additional projects. The restructuring will provide a capacity close this project and still have the capacity to do the next Haymarket Garage that is anticipated by the City. The amount anticipated to be available for the parking enterprise fund to bond for a subsequent project would be approximately $10,000,000.

Mr. Wismar stated that whether there is private activity or not is a part test. One is if more than 10% of the proceeds of the bonds are used to provide facilities that are used in the trade or business of a non-governmental entity. The second part of the test is if more than 10% of the debt service is spent for private payments directly or indirectly for private activity. The third part of the test is what the private payments are and if you meet both of those you have private activity and need to account for it in some fashion. If both of those exceed 10% you have private activity bonds then you are unable to issue tax exempt obligations.

Mr. Keene said there is an ongoing analysis that will have to be done as long as the bonds are outstanding.

Zach Weigert, representing Block 38, LLC which is a combination of WRK our local partner, Colmena Capital out of Salt Lake City and Woodbury Corp. based out of Salt Lake City. He stated he is head of development for Woodbury Corp. in the midwest based in an office in Lincoln, Nebraska. Woodbury is a 100 year company with a long-term investment philosophy. This will be one of many projects that look forward to doing in Lincoln, and think it will be a beautiful building in downtown Lincoln. This garage will be a single helix because of aesthetics having flat parking surfaces on three sides so only the back of the garage shows any kind of ramping which saves a lot of money and designing of the project. A double helix garage wouldn’t allow for much retail space in the base of the garage because there would be two ramps coming into the garage cutting the retail space in half.

Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, stated the double helix when it rises you have one way up and one way down by doing it like this you will need to be at 60%. The single helix allows 90% stalls which will give more stalls not to go above seven floors.

Jayne Snyder expressed concern that a big part of the focus on the residential would be for college students. She stated there is a large amount of people in the retirement age that want to move to downtown Lincoln and are looking for affordable housing with parking nearby. There is a concern this could turn into a party house for college students because this is a very classy project. She asked there be consideration for multi-age tenants.

Mr. Weigert stated his partners would not build something that was a party house. The largest focus of the design of this project was economics and not toward any age group.

Adam Hornung stated this could provide residential capacity that could be for post graduates therefore keeping them in the community.

Mr. Weigert commented this facility would be for young urbanite types that are willing to live in a space together or empty nester types. This is not a project you would have multiple children or pets living in. It is for true urban living.

Ken Smith, Parking Manager, stated 30 parking stalls per floor would be lost with this structure there is a shafts for elevators, utilities to the residential units and supports.

Mr. Weigert in answer to not having owner-occupied housing for this project was economics. Designed housing has to be built with steel or concrete if more than four floors which is very expensive. Having multiple incomes paying for the same amount of square feet you can get more per person than a single person or single family could pay by themselves. Leases could be by the room, person by person or one person could pay for all. More than three unrelated persons can live together in the B-4 zoning. More than three unrelated persons can live together in the B-4 zoning.

Mr. Smith answered questions about paying for parking in this garage.

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Mr. Welgert assured the Council his company has researched similar facilities and found them to be very successful. The very return of a project like this with the rent Lincoln currently has this type of construction is the only thing that is finable. He stated there will be a full-time person living at the facility that will be handling any issues and will be very strict with the rules and regulations of this facility. Chipotle will move out of their present location until this project is built and then will move back into the retail portion of the building. There shouldn’t be any problem getting more retail. If the parking is secured or is permit based parking the cost will be on the developer. For the first three years the parking fee for the tenants is $50 then after that there is a 15% discount for five years then goes to 10%.

Tom Smith, representing the 2015 Vision Steering Committee and Downtown Civic Ventures, came forward in favor of this project. New retail, new parking, and additional downtown housing will help achieve the improvement of P and Q Streets. He also read a letter from the CEO and President of the Foundation for Educational Services in support of this project citing the additional parking that will benefit his employees as his company grows.

Doug Swotek, Chairman of the Board of Directors of the Downtown Lincoln Association, came forward in strong support of the proposed redevelopment plan of Block 38. This will be an opportunity to contribute to the demand for quality downtown housing, satisfy the need for parking to support growing downtown businesses and retail activity, and provide additional opportunities for downtown active front retail development. This will serve as an anchor for the Civic Plaza.

Richard Esquivel, 733 W. Cuming St., came forward with concern of how the TIF money will be paid back which was answered that it will be from retail and residential taxes. He asked about the amount outstanding on the Series 1999 A bonds that will be refinanced and terned with the financing.

John Austin, 826 S. 14th Street, came forward with concern of the City running out of money. He questioned if there was any bus parking in this area.

Mr. Landis came forward for rebuttal and staff questions. In answer to the question how is the $1,700,000 going to be paid it will be paid by the taxes levied against the $12,900,000 of increased valuation. There is a provision in Article V that it is the mortgagee’s responsibility to complete this project so if the developer would not be able to complete the project the lender to the developer will need to finish the building.

This matter was taken under advisement.

AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST INDENTURE, (3) A DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $10,000,000 PRINCIPAL AMOUNT OF THE CITY’S RECOVERY ZONE FACILITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (TMCO, INC. PROJECT) SERIES 2010 - Don Herz, Director of Finance, stated the City Council declared the City as a Recovery Zone back in March by resolution so they could utilize the allocation of approximately $26,000,000 through the ARRA which allows projects to be financed on a tax exempt basis which has been done in the past with Industrial Development bonds and was expanded to additional types of project. The City told the community about these and received 26 letters of interest. Some were for fairly small projects and because of issuance any project less than half a million dollars would make more sense to do them with conventional financing. The list of 26 were reduced to four projects.

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Mr. Welgert came forward to explain this is a 155 room hotel project for s13 and R Street in conjunction with the Arts and Humanities block in the Sheldon Haymarket project. Construction could start in the beginning of or mid-March after the frost breaks with completion in June of 2012. They are in agreement with Marriott. They are past 30% design. They plan to open in place, and has a commitment for financing on the project. These bonds will allow a reduced rate on financing.

This matter was taken under advisement.
WAIVER 10022 - APPLICATION OF CENTERPOINTE INC. TO WAIVE THE REQUIREMENTS OF SECTION INDENTURE, (3) A DED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $2,800,000 PRINCIPAL AMOUNT OF THE CITY’S RECOVERY ZONE FACILITY
INDUSTRIAL DEVELOPMENT REVENUE BONDS (TELESIS, INC. PROJECT) SERIES 2010 - David Landis, Director of Urban Development, came forward to state the project will be in four phases. It takes the area of Block 84, 7th to 8th and L to M Street. Tax Increment Financing will be used for this project. This could ultimately create 19 additional full time employees with a salary range from $30,000 to $70,000. This will be consistent with the Downtown Master Plan. This building will be refurbished not demolished. Phase I will be relocating Data Security, $2,300,000 in construction costs and $208,000 in TIF funds. Phase II will be the Empyrean Brewing Company, $1,300,000 in construction costs and $210,000 in TIF funds; Phase III is the possibility of a mixed use residential component to the building. $9,000,000 in construction costs and $600,000 to $700,000 in TIF funds; Phase IV will be used for retail at $1,300,000 in construction costs and $208,000 in TIF funds. Phase I is being planned now, but Phases II, III, and IV are to be implemented between the next four to ten years. Tom Huston, 233 S. 13th Street, Suite 1900, came forward representing Dairy House, LLC the developer of record and is an affiliate of Telesis Inc. The amendment to the Redevelopment Plan is consistent with the Comprehensive Plan because of the nature of this redevelopment process and the process it will be undergoing. There is approximately 175,000 sq. ft. of usable area on this block. Phase I will be slightly altered by adding to building one because Phase I will be refurbishing the building to be Leased to Commire 58 for $2,300,000, $1,300,000 in construction costs and $208,000 in TIF funds. There will be a condominium regime to preserve the ability to do a multi-phase redevelopment of the project. The TIF funding will be issued in separate phases. The residential portion of this facility will be located on the southwest corner of the building which may be 10 years in the future and will be positioned far from Midwest Steel so should not be an issue for future residents.
Eric Shafer, came forward representing Telesis, Inc and the Dairy House, LLC. Telesis, a Greek word, meaning progress consciously planned produced by an intelligently directed effort, a good description for the Meadow Gold project. Their companies have the need to expand both Data Securities and Empirean Brewing Company and believes the Meadow Gold complex offers the best opportunity to expose those businesses. They have a 20 year history of development in the Haymarket and have worked to maintain the historical character of the property, but will create modern spaces and working environments. This project will make a nice exit from the Haymarket Arena and then the Coffee and Spice building that presently houses Data Securities and Empirean Brewing Company can be used for higher and better use in support of the Haymarket and the new arena. John Austin, came forward to express that he feels this is not a good place for a brewery. Richard Esquivel, 733 Cumings St., stated that if the building has been purchased with the intent to remodel it should not qualify for TIF. Mr. Huston stated Dairy House, LLC has acquired the site and will not use TIF for the acquisition fund. The redevelopment will use TIF. This matter was taken under advisement.
DESIGNATING A REPLACEMENT EQUAL EMPLOYMENT OFFICER FOR THE CITY’S ADA/SECTION 504 CIVIL RIGHTS POLICY;
DESIGNATING A REPLACEMENT TITLE VI COORDINATOR FOR THE CITY’S TITLE VI CIVIL RIGHTS PLAN Rod M. Confer, City Attorney, came forward with information that these positions are requirements to obtain Federal grants and with the retirement of Larry Williams last year who was the designated Equal Opportunity Officer these positions will now be filled by Milo Mumgaard.
This matter was taken under advisement.
WAIVER 10022 - APPLICATION OF CENTERPOINTE INC. TO WAIVE THE REQUIREMENTS OF SECTION 27.67.100(C) OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKING LOT SURFACING ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 7TH STREET AND C STREET. Tom Huston, 233 S. 13th Street, Suite 1900, came forward on behalf of CenterPointe, Inc. to purchase a group home at 630 C Street. This was a group home previously, but will increase from six individuals to ten individuals which would require more parking stalls. CenterPointe received a grant to house homeless veterans at this site who will not have vehicles so the request is to not have to surface a parking lot that will not be used. Doug Emery, Council Member, asked if there would be parking issues in the future what can be done? Marvin Krout, Director of Planning, answered the conditional use states that if the circumstances change the Council can revoke the waiver.
This matter was taken under advisement.
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COUNCIL ACTION

REPORTS OF CITY OFFICERS

RESOLUTION ASSESSING SPECIAL TAXES FOR THE COSTS OF THE IMPROVEMENTS IN THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, THE DOWNTOWN MAINTENANCE DISTRICT AND THE CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY, AS APPROVED BY THE BOARD OF EQUALIZATION ON MONDAY, NOVEMBER 15, 2010 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-86110

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

The special taxes assessed November 1, 2010, to pay the costs of the improvements in the Downtown Business Improvement District, the Core Business Improvement District Overlay and the Downtown Maintenance District are hereby levied and that the period of time in which the assessments are to be paid shall be one (1) year.

Introduced by Jon Camp
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

SETTING THE PUBLIC HEARING DATE OF MONDAY, DECEMBER 13, 2010, AT 3:00 P.M. FOR THE ASSESSMENT OF THE COST OF WEED REMOVAL INCURRED FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 - CLERK requested a motion to approve the setting of the hearing date of December 13, 2010.

CAMP
So moved.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK’S LETTER AND MAYOR’S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON NOVEMBER 1, 2010 - CLERK presented said report which was placed on file in the Office of the City Clerk.

LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR OCTOBER 2010 - CLERK presented said report which was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 10060 to Special Permit No. 10001 for historic preservation of the Tuttle-Schauupp House, approved by the Planning Director on November 4, 2010, requested by Mike and Karolyn Howard, to amend the fence location and parking, on property located at 3008 “O” Street.

SETTING THE HEARING DATE OF MONDAY, DECEMBER 6, 2010 AT 3:00 P.M. FOR THE APPLICATION OF GET LUCKIE, LLC DBA LUCKIE’S LOUNGE & GRILL FOR A CLASS C LIQUOR LICENSE LOCATED AT 1101 W. BOND STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-86111

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 6, 2010 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Application of Get Luckie LLC dba Luckie’s Lounge & Grill for a Class C liquor license located at 1101 W. Bond Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

LIQUOR RESOLUTIONS

APPLICATION OF TRES JALISQUILLOS, INC. DBA LA FIESTA SPORT BAR (FORMERLY PANDANGO NIGHT CLUB) TO MOVE THEIR PRESENTLY LICENSED CLASS C LIQUOR PREMISES FROM 221 S. 9TH STREET TO 1037 L STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86112

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, including Neb. Rev. Stat. §§ 53-129, and the pertinent City ordinances, the City Council recommends that the application of Tres Jalisquillos, Inc. dba La Fiestas Sport Bar (formerly Pandango Night Club) to move its presently licensed premise and existing Class "C" liquor license from 221 S. 9th Street to 1037 L Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST
APPROVING A CONSTRUCTION MANAGER AT RISK CONTRACT BETWEEN SAMPSON CONSTRUCTION
AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS NOT TO EXCEED $1,725,000 FOR THE CITY
APPROVING THE BLOCK 38 REDEVELOPMENT AGREEMENT BETWEEN BLOCK 38, LLC AND THE CITY
VACATION 10015 - VACATING THE RIGHT-OF-WAY STUB ON THE NORTH SIDE OF OLD CHENEY ROAD
USE PERMIT NO. 15D - AMENDING THE USE PERMIT FOR SOUTHWOOD CENTER TO CHANGE
CHANGE OF ZONE 10019 - APPLICATION OF ASSURITY LIFE INSURANCE CO. FOR A CHANGE OF ZONE

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

CHANGE OF ZONE 10019 - APPLICATION OF ASSURITY LIFE INSURANCE CO. FOR A CHANGE OF ZONE FROM O-3 OFFICE PARK DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT, ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 27TH STREET AND OLD CHENEY ROAD (Related Items 10-133, 10R-271, 10-134) (10/25/10 - 2ND Reading w/P.H. con't. to 11/15/10) - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Map and making a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown therein, the second time.

USE PERMIT NO. 15D - AMENDING THE USE PERMIT FOR SOUTHWOOD CENTER TO CHANGE APPROXIMATELY 33,020 SQ. FT. OF OFFICE USES TO RETAIL USES, WITH A REQUEST TO REDUCE THE FRONT YARD SETBACK ON SOUTH 27TH STREET AND OLD CHENEY ROAD, ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 27TH STREET AND OLD CHENEY ROAD, (Related Items 10-133, 10R-271, 10-134) (10/25/10 - 2ND Reading w/P.H. con't. to 11/15/10)

VACATION 10015 - VACATING THE RIGHT-OF-WAY STUB ON THE NORTH SIDE OF OLD CHENEY ROAD LOCATED APPROXIMATELY 480 FEET WEST OF THE CENTERLINE OF SOUTH 27TH STREET - (Related Items 10-133, 10R-271, 10-134) (2ND Reading w/P.H. con't. to 11/15/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and providing for the issuance of a City of Lincoln, Nebraska Tax Allocation Bond, Series 2010, in a Principal Amount not to exceed $1,725,000 for the purpose of (1) Paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain public improvements within the City's Block 38 Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) $3,850,000 principal amount of Parking Revenue Bonds, Series 2001, and $5,525,000 principal amount of Parking Revenue and Refunding Bonds, Series 1999A and (2) $3,850,000, 000 principal amount of Parking Revenue Bonds, Series 2001, and

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS NOT TO EXCEED $1,725,000 FOR THE CITY OF LINCOLN, BLOCK 38 REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN (RELATED ITEMS: 10-131, 10-132, 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and providing for the issuance of a City of Lincoln, Nebraska Tax Allocation Bond, Series 2010, in a Principal Amount not to exceed $1,725,000 for the purpose of (1) Paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain public improvements within the City's Block 38 Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) $3,850,000 principal amount of Parking Revenue Bonds, Series 2001, and $5,525,000 principal amount of Parking Revenue and Refunding Bonds, Series 1999A and (2) $3,850,000, 000 principal amount of Parking Revenue Bonds, Series 2001, and

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $30,000,000 OF THE CITY OF LINCOLN, NEBRASKA PARKING REVENUE AND REFUNDING BONDS, SERIES 2010. (RELATED ITEMS: 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and providing for the issuance, sale and delivery of not to exceed $30,000,000 Parking Revenue and Refunding Bonds, Series 2010, in one or more series of the City's Revenue Bonds, (1) paying the costs of issuing, acquiring, rehabilitating, constructing, improving, extending, installing, equipping, furnishing and completing certain public improvements within the City's Block 38 Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the Bond; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the Bond as the same become due; limiting payment of the Bonds to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the Bond not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $30,000,000 OF THE CITY OF LINCOLN, BLOCK 38 REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN. (RELATED ITEMS: 10-133, 10R-271, 10-134) (2ND READING w/P.H. con't. to 11/15/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and providing for the issuance of a City of Lincoln, Nebraska Tax Allocation Bond, Series 2010, in a Principal Amount not to exceed $1,725,000 for the purpose of (1) Paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain public improvements within the City's Block 38 Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) $3,850,000 principal amount of Parking Revenue Bonds, Series 2001, and

APPROVING THE BLOCK 38 REDEVELOPMENT AGREEMENT BETWEEN BLOCK 38, LLC AND THE CITY RELATIVE TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED ON THE NORTH HALF OF BLOCK 38, BETWEEN 13TH AND 14TH STREETS AND P AND Q STREETS. (RELATED ITEMS: 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10)

APPROVING A CONSTRUCTION MANAGER AT RISK CONTRACT BETWEEN SAMPSON CONSTRUCTION COMPANY, BLOCK 38, LLC AND THE CITY OF LINCOLN FOR CONSTRUCTION OF THE MIXED USE FACILITY, INCLUDING A CITY PARKING GARAGE, PRIVATE RESIDENTIAL AND COMMERCIAL SPACE, ON PROPERTY GENERALLY LOCATED ON THE NORTH HALF OF BLOCK 38, BETWEEN 13TH AND 14TH STREETS AND P AND Q STREETS. (RELATED ITEMS: 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10)

AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST INDENTURE, (3) A DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $30,000,000 PRINCIPAL AMOUNT OF THE CITY’S REVENUE PROJECT’S CITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (TMCO, INC. PROJECT) SERIES 2010 - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and approving the issuance, sale and delivery of not to exceed $30,000,000 Principal Amount of the City's Tax Allocation Recovery Zone Facility Revenue Bond, Series 2010 (TMCO, Inc. Project); approving

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and authorizing the execution and delivery of a lease agreement, a deed of trust and construction security agreement and a tax compliance agreement and a tax compliance agreement in connection with the issuance of not to exceed $14,000,000 principal amount of the City’s Recovery Zone Facility Industrial Development Revenue Bonds (Block 21, L.L.C. Project) Series 2010 - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and approving the issuance of a not to exceed $14,000,000 principal amount Industrial Development Recovery Zone Facility Revenue Bond, Series 2010 (Block 21 L.L.C. Project), approving and authorizing the execution and delivery of a Lease Agreement, a Deed of Trust and Construction Security Agreement and a Tax Compliance Agreement and Closing Documentation; delegating, authorizing and directing the Mayor, Finance Director and Clerk to exercise their own independent discretion and judgment in determining and finalizing the terms, provisions, form and contents of each of such documents; providing for the publication of this ordinance and the time when this ordinance shall take effect; and related matters, the second time.

AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST INDENTURE, (3) A DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $2,800,000 PRINCIPAL AMOUNT OF THE CITY’S RECOVERY ZONE FACILITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (TELESIS, INC. PROJECT) SERIES 2010 - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and approving the execution and delivery of a Lease Agreement, a Deed of Trust and Construction Security Agreement and a Tax Compliance Agreement and Closing Documentation; delegating, authorizing and directing the Mayor, Finance Director and Clerk to exercise their own independent discretion and judgment in determining and finalizing the terms, provisions, form and contents of each of such documents; providing for the publication of this ordinance and the time when this ordinance shall take effect; and related matters, the second time.

CHANGE OF ZONE 10020 - APPLICATION OF THE DAIRY HOUSE LLC FOR A CHANGE OF ZONE FROM 1-1 INDUSTRIAL DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 8TH STREET AND M STREET. (RELATED ITEMS: 10R-295, 10-144, 10-147) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST INDENTURE, (3) A DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $14,000,000 PRINCIPAL AMOUNT OF THE CITY’S RECOVERY ZONE FACILITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (TELESIS, INC. PROJECT) SERIES 2010. (RELATED ITEMS: 10R-295, 10-144, 10-147) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and approving the issuance of a not to exceed $2,800,000 principal amount Industrial Development Recovery Zone Facility Revenue Bond, Series 2010 (Telesis, Inc. Project); approving and authorizing the execution and delivery of a Lease Agreement, a Deed of Trust and Construction Security Agreement and a Tax Compliance Agreement and Closing Documentation; delegating, authorizing and directing the Mayor, Finance Director and Clerk to exercise their own independent discretion and judgment in determining and finalizing the terms, provisions, form and contents of each of such documents; providing for the publication of this ordinance and the time when this ordinance shall take effect; and related matters, the second time.

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF OCTOBER 16 - 31, 2010 - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

A-16113

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that the claims listed in the attached report, marked as Exhibit "A", dated November 1, 2010, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved.

DENIED CLAIMS

Ted J. Herrick "NAS" $494.78
Dona & Gary Beard 170.64
Progressive Insurance Company
(Melissa Neville, Insured) $1,544.59
Wymetha Williams 4,400.00
Brytten Sorgenfrei 660.43
Benn Becker 25,000.00
Farmers Mutual of Nebraska
(Laura Schutte, Insured) 4,134.94

LITIGATION SETTLEMENT

Laura Sheldon $18,000.00

ALLOWED/SETTLED CLAIMS

Erliza Lindsey $494.78
Dona & Gary Beard 170.64
Progressive Insurance Company
(Melissa Neville, Insured) $1,544.59
Wymetha Williams 4,400.00
Brytten Sorgenfrei 660.43
Benn Becker 25,000.00
Farmers Mutual of Nebraska
(Laura Schutte, Insured) 4,134.94
WHEREAS, the City Council of the City of Lincoln, Nebraska adopted Resolution No. A-85840 on May 10, 2010 which resolution adopted and bound the City to comply with all applicable Federal law, all applicable State law, and the requirements of the LPA Guidelines Manual of the Nebraska Department of Roads; relating to the City ADA/Section 504 – Civil Rights Policy of the City of Lincoln; and

WHEREAS, the ADA/Section 504 – Civil Rights Policy of the City of Lincoln adopted by Resolution A-85840 designated Larry Williams as the City’s ADA/Section 504 Coordinator by virtue of his position as Equal Employment Officer for the City; and the City of Lincoln desires to continue to participate in federal aid transportation construction programs; and

WHEREAS, Larry Williams has since left his employment with the City of Lincoln and it is, therefore, necessary to designate a replacement for him as the ADA/Section 504 Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that Administrative Assistant to the Mayor, Milo Mumgaard, who was named by Mayor Chris Beutler as the City’s interim Equal Employment Officer, is hereby designated as the City’s ADA/Section 504 Coordinator for purposes of its ADA/Section 504 Policy.

BE IT FURTHER RESOLVED that the City Clerk is directed to return a copy of this Resolution to Don W. Taute, in the Law Department, for transmittal to the Nebraska Department of Roads, Civil Rights Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln that Administrative Assistant to the Mayor, Milo Mumgaard, who was named by Mayor Chris Beutler as the City’s interim Equal Employment Officer, is hereby designated as the City’s ADA/Section 504 Coordinator for purposes of its ADA/Section 504 Policy.

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BE IT FURTHER RESOLVED that the City Clerk is directed to return a copy of this Resolution to Don W. Taute, in the Law Department, for transmittal to the Nebraska Department of Roads, Civil Rights Compliance Officer.

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BE IT FURTHER RESOLVED that the City Clerk is directed to return a copy of this Resolution to Don W. Taute, in the Law Department, for transmittal to the Nebraska Department of Roads, Civil Rights Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln that Administrative Assistant to the Mayor, Milo Mumgaard, who was named by Mayor Chris Beutler as the City’s interim Equal Employment Officer, is hereby designated as the City’s ADA/Section 504 Coordinator for purposes of its ADA/Section 504 Policy.

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BE IT FURTHER RESOLVED that the City Clerk is directed to return a copy of this Resolution to Don W. Taute, in the Law Department, for transmittal to the Nebraska Department of Roads, Civil Rights Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln that Administrative Assistant to the Mayor, Milo Mumgaard, who was named by Mayor Chris Beutler as the City’s interim Equal Employment Officer, is hereby designated as the City’s ADA/Section 504 Coordinator for purposes of its ADA/Section 504 Policy.

BE IT FURTHER RESOLVED that the City Clerk is directed to return a copy of this Resolution to Don W. Taute, in the Law Department, for transmittal to the Nebraska Department of Roads, Civil Rights Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln that Administrative Assistant to the Mayor, Milo Mumgaard, who was named by Mayor Chris Beutler as the City’s interim Equal Employment Officer, is hereby designated as the City’s ADA/Section 504 Coordinator for purposes of its ADA/Section 504 Policy.

BE IT FURTHER RESOLVED that the City Clerk is directed to return a copy of this Resolution to Don W. Taute, in the Law Department, for transmittal to the Nebraska Department of Roads, Civil Rights Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln that Administrative Assistant to the Mayor, Milo Mumgaard, who was named by Mayor Chris Beutler as the City’s interim Equal Employment Officer, is hereby designated as the City’s ADA/Section 504 Coordinator for purposes of its ADA/Section 504 Policy.

BE IT FURTHER RESOLVED that the City Clerk is directed to return a copy of this Resolution to Don W. Taute, in the Law Department, for transmittal to the Nebraska Department of Roads, Civil Rights Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln that Administrative Assistant to the Mayor, Milo Mumgaard, who was named by Mayor Chris Beutler as the City’s interim Equal Employment Officer, is hereby designated as the City’s ADA/Section 504 Coordinator for purposes of its ADA/Section 504 Policy.
In consideration of the findings made above, the requirement for the paving of the parking lot for CenterPointe Inc. located at South 7th Street and C Street on property legally described above is hereby temporarily waived subject to revocation pursuant to § 27.67.100(c) of the Lincoln Municipal Code under the following conditions:

1. The approval waives the requirement to pave parking until such time as there is a change in use or change to a type of group home where the majority of residents have "vehicles on site" or additional parking is required.

2. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the CenterPointe, Inc., its successors and assigns.

3. The City Clerk shall file a copy of the resolution approving the waiver with the Register of Deeds, filing fees therefor to be paid in advance by the Owner.

Introduced by Jayne Snyder
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ORDINANCE - 1st READING & RELATED RESOLUTIONS (as required) - NONE

ORDINANCES - 3rd READING & RELATED RESOLUTIONS (as required)

VACATION 10009 - VACATING THE SOUTH HALF OF THE NORTH-SOUTH ALLEY BETWEEN SUMNER STREET AND GARFIELD STREET AND BETWEEN S. 29TH STREET AND JEFFERSON AVENUE

CLERK read an ordinance, introduced by Adam Hornung, vacating the south half of the north-south alley between Sumner Street and Garfield Street and between S. 29th Street and Jefferson Avenue, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

HORNUNG Moved to pass the ordinance as read.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
The ordinance, being numbered #19469, is recorded in Ordinance Book #27, Page

APPROVING THE AMENDED AND RESTATED SITE LEASE FROM THE CITY AND COUNTY OF LANCASTER, NEBRASKA TO THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION; APPROVING THE AMENDED AND RESTATED LEASE AGREEMENT FROM THE COMMISSION TO THE COUNTY AND THE CITY; AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $7,500,000 OF THE COMMISSION’S TAX SUPPORTED LEASE RENTAL REVENUE REFUNDING BONDS, SERIES 2010B

CLERK read an ordinance, introduced by Adam Hornung, of the City of Lincoln, Nebraska approving, the third time.

HORNUNG Moved to pass the ordinance as read.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
The ordinance, being numbered #19470, is recorded in Ordinance Book #27, Page

OPEN MICROPHONE - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to November 22, 2010.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on November 22, 2010.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT 6:48 P.M.

CAMP Moved to adjourn the City Council meeting of November 15, 2010.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant